



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 29 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas J. Fitton, President
Judicial Watch, Inc.
501 School Street, SW
Suite 725
Washington, DC 20024

RE: MUR 5421
John Kerry for President, Inc. and
Robert Farmer, in his official capacity as
Treasurer
Mellon Trust of New England, N.A.
Teresa Heinz Kerry

Dear Mr. Fitton:

This is in reference to the complaint you filed with the Federal Election Commission on behalf of Judicial Watch, Inc. on March 4, 2004, concerning loans made by Senator John F. Kerry to the John Kerry for President, Inc., his principal campaign committee for the 2004 presidential primary election. Based on that complaint and information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities, on June 23, 2005, the Commission found that there was reason to believe that John Kerry for President, Inc. and Robert Farmer, in his official capacity as treasurer ("the Committee") violated 2 U.S.C. §§ 441(a)f, 441b and 434(b), provisions of the Federal Election Campaign Act of 1971, as amended ("FECA"), and 11 C.F.R. § 104.3(d)(4), a provision of the Commission's regulations; found reason to believe that Mellon Trust of New England ("Mellon Trust") violated 2 U.S.C. § 441b; and instituted an investigation in this matter.

After considering information provided by the Committee and Mellon Trust and the circumstances of this matter, the Commission determined to take no further action against the Committee and Mellon Trust on December 12, 2005. On the same date, the Commission also found, on the basis of the information provided, that there is no reason to believe Teresa Heinz Kerry violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the Commission closed the file in this matter on December 12, 2005.

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Documents related to the case will be placed on the public record within 30 days. *See* 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the dispositive General Counsel's Report will be sent to you at that time. As in all enforcement matters, information exempt from disclosure under FECA and the Freedom of Information Act, 5 U.S.C. § 552, will be redacted from all documents placed on the public record, including the dispositive General Counsel's Report. *Id.* at 70,428.

The FECA allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 2 U.S.C. § 437g(a)(8).

Sincerely,

Lawrence H. Norton
General Counsel



BY: Lawrence L. Calvert Jr.
Deputy Associate General Counsel
for Enforcement

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